



ఆంధ్రప్రదేశ్ రాజపత్రము
THE ANDHRA PRADESH GAZETTE
PUBLISHED BY AUTHORITY

PART I EXTRAORDINARY

No.10

AMARAVATI, FRIDAY, JANUARY 10, 2025

G.787

NOTIFICATIONS BY GOVERNMENT

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MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT DEPARTMENT (M)

Municipal Administration & Urban Development Department – Andhra Pradesh
Building Rules, 2017 – Amendments – Final Notification – Orders – Issued.

[G.O.Ms.No.4 Municipal Administration & Urban Development (M) Department, 9th January, 2025]

FINAL NOTIFICATION

In exercise of the powers conferred by section 585 read with section 592 of the Andhra Pradesh Municipal Corporation Act, 1955 (adapted GHMC Act, 1955); section 18 of the Andhra Pradesh Municipal Corporations Act, 1994; section 326 of the Andhra Pradesh Municipalities Act, 1965, section 44 (1) of the Andhra Pradesh Town Planning Act, 1920, sub-section (2) of section 18 of the Andhra Pradesh Capital Region Development Authority Act, 2014 and Sections 116 and 117 of the Andhra Pradesh Metropolitan Region and Urban Development Authorities Act, 2016, the Government of Andhra Pradesh hereby make the following amendments to AP Building Rules, 2017 issued in G.O.Ms.No.119, MA&UD (H) Dept., dated 28.03.2017 and amendments issued thereon from time to time.

AMENDMENTS

In the said Rules:-

I. In Rule 2,-

(1) In sub-rule (17), for clause (h) the following shall be substituted, namely,-

“(h) High rise Buildings means a building **above 18 m** (including stilt floor) in height from the finished plinth level. However, chimneys, cooling towers, boiler rooms/ lift machine rooms, cold storage and other non-working areas in case of industrial buildings and water tanks and architectural features in respect of other buildings are not considered for height of the building.”

(2) for sub-rule (87), the following shall be substituted, namely,-

“(87) ‘Group Development Scheme’ is reckoned as development of buildings for any use in a campus or site of 4000 sq.mt area or more and could be gated community, row houses, semidetached houses, detached houses, apartment blocks, [Commercial, Institutional, Industrial buildings] or high rise buildings or mix or combination of the above with or without customary sub-division of the land by way of individual plots.”

(3) in sub-rule (133), the following clause (a) shall be added, namely,-

“133(a) Podium Parking: A horizontal platform extending beyond the building footprint on one or more sides, and may consist of one or more levels which is used for parking purpose.”

II. In Rule 3,

(1) in sub-rule (10), in clause (d),

i. in sub-clause (xv), the following shall be substituted, namely,-

“(xv) The applicant has to follow the conditions mentioned in the railway manual and no prior NOC is required.”

ii. in sub-clause (xvii), the following shall be substituted, namely,-

“(xvii) The applicant has to follow the conditions mentioned in the defense manual/guidelines issued time to time and no prior NOC is required.”

(2) in sub-rule (15), the following shall be substituted, namely,-

“(15) All the Plans and Application for Building Permission shall be duly signed by the Owner or any authorized person by Owner and developer if any; and the Licensed/Registered Technical Personnel i.e., Architect/Engineer/Surveyor/Town Planner as the case may be and in case of Buildings above 10m height the Structural Engineer shall also sign all the

plans. Further, in case of High Rise buildings, along with Structural Engineer, Architect / Engineer/ Town Planner shall also sign on all the plans and in application for Building Permission. They shall give their present and permanent addresses and license/Registration details.”

(3) in sub-rule (20), for clause(d) the following shall be substituted, namely,-

“(d)The owner is required to hand over 10 % built-up area in any approved floor shall be mortgaged, as the case may be, to the sanctioning authority by way of a Registered Mortgage Deed. In respect of row houses/detached Houses/cluster housing 5% of the units shall be handed over by way of Registered Mortgage Deed to the sanctioning authority. The Registered Mortgage Deed shall be got entered by the sanctioning authority in the Prohibitory Property Watch Register of the Registration Department. Then only the Building sanction will be released.

In respect of buildings taken up by the Government agencies (state or central), need not observe this clause.”

(4) in sub-rule (22), for clause(d) the following shall be added, namely,-

(d) Digitization/Automation/Real time dashboards shall be developed by the DTCP duly customizing all the rules in the portal. The SLAs are fixed for all the functionaries and deemed provision is enabled in the Online portal.

(5) in sub-rule (32), after clause (l) the following clause (m) shall be added, namely,-

“(m) Registration Certificate from the Andhra Pradesh Real Estate Regulatory Authority (AP RERA) as per section 3 of the RERA Act – 2016 (wherever applicable) is mandatory to apply for occupancy certificate and the competent authority shall ensure its compliance before issue of occupancy certificate.”

III. In Rule 6,-

(1) in sub-rule (2), for clause (a) the following shall be substituted, namely,-

“(a) Basement or cellar and stilt floor are allowed for plots 500 sq.m and above only”

(2) in sub-rule (30), in clause (b), for sub clause (i) the following shall be substituted, namely,-

“(i) Basement or cellar and stilt floor are (one or more) / multi-level allowed for plots 500sq.m and above only.”

(3) in sub-rule (30), in clause (b), after sub-clause (vi) the following sub-clause (vii) shall be added , namely,-

“(vii) In case of sites having natural slopes, additional basements / stilt parking is allowed with mechanical lift provision irrespective of plot area.”

IV. In Rule 32, the following shall be substituted , namely,-

“32. Provision of Helipad

All high-rise buildings above 200 mt shall have provision for a Helipad on the terrace subject to the approval of the Air Port Authority of India and Structural Safety from IIT/NIT, JNTU, Andhra / Venkateshwara or any other Government University is required. The same shall be approved by the Authority.

V. In Rule 53

(1), in sub-rule (6), the following shall be substituted, namely,-

“(6) In case of single plot sub-division approved by the competent authority, a means of independent access of minimum 3.6m pathway may be considered for Individual Residential Building. In case of Non-High Rise Group Housing Building with having maximum 20 dwelling units, a means of independent access of 6 m and for above 20 dwelling units, 9 m access is required.

(2) after sub-rule (6), the following sub- rule (7) shall be added, namely,-

(7) If the site is abutting to the existing roads (irrespective of the road widths) and proposed for widening as per Master Plan, the development of

such site can be allowed by taking road affected portion equally on both sides subject to the following conditions:

1. In case of individual residential buildings, the permissions can be accorded without insisting for the implementation of the Master Plan throughout its length.
2. In case of Group development schemes and non-high rise buildings, if the existing road width satisfies as per the Table.No.14 without implementing the master plan road throughout its length, the permission may be issued duly considering the master plan road width.

In case of high rise buildings, malls and multiplexes, group housing projects having more than 100 units which are abutting to the existing road with minimum required width as per rules, the competent authority shall support the developer by way of preparing the RDP and implementing the master plan road keeping in view of the investment poured and also to promote and regulate development activity in that area.

VI. In Rule 54,-

(1) in sub-rule (2), the clause (a) & (b) shall be substituted, namely,-

"The applicant has to follow the conditions mentioned in the defence manual/guidelines issued time to time and no prior NOC is required."

(2) for sub-rule (7), the following shall be substituted, namely

"(7)NOC from Railways

The applicant has to follow the conditions mentioned in the railway manual and no prior NOC is required."

VII. In Rule 55,-

(1) In sub-rule (2),

- i. **clause (h) shall be omitted.**
- ii. **clause (i) shall be read as clause (h).**

(2) for sub-rule (6), the following shall be substituted, namely

"(6)Poultry farms/hatcheries (wherever allowed as per Master Plan)

- a) Poultry farms/hatcheries can be allowed in Agricultural zone and 1 km away from habitations.

- b) Setbacks of Poultry farms/hatcheries to be followed as per the setbacks table 17."

VIII. In Rule 57,-

(1) in sub-rule (2), in clause (a), Table -17, Row-7 column (c) shall be substituted namely, "Stilt floor+ One Cellar floor".

(2) after sub-rule (5), the following clause (a) shall be inserted, namely,-

"(a) Whenever the height of the building from the finished plinth level is crossing 18 mts including stilt parking shall obtain necessary fire NOC"

(3) in sub-rule (6), for clause(g) the following shall be substituted, namely;

"(g) In all plots 750sq.m and above, provision shall be made for earmarking a minimum area of 2m x 2m for the purpose of setting of public utilities like distribution transformer, etc., within the setbacks (for Non - High rise buildings) subject to mandated public safety requirements"

(4) in sub-rule (7), for clause(k) the following shall be substituted, namely;

"(k) Baby Feeding Room / facility shall be provided in Shopping Malls, Public Buildings and Organizations/ Establishments/ Institutions where more than 50 women are employed and also for visiting women."

IX. In Rule 61, after sub-rule (7), the following note shall be added, namely,-

"Note: A swimming pool may also be permitted in such recreational open space provided it shall not obstruct the way of Fire fighter vehicle and shall not cover more than **15%** of the tot-lot area"

X. In Rule 62, for sub-rule (1), the following shall be substituted, namely,-

"(1) High Rise Building means buildings **above 18m** height from the finished plinth level.

XI. In Rule 66,-

(1) sub-rule (1), Table-18 the following shall be substituted namely,-

Minimum abutting road width and all-round open space /setback for High Rise Buildings

Height of building(in meters)		Minimum abutting road width (in meters)	Minimum all-round open space (in meters)
Above	Up to		
(1)	(2)	(3)	(4)
-	21	12	7
21	24	12	8
24	27	18	9
27	30	18	10
30	35	24	11
35	40	24	12
40	45	24	13
45	50	30	14
50	55	30	16
55	70	30	17
70	120	30	18
Above 120		30	20

(2) for sub-rule (4), the following shall be substituted, namely,-

“(4)The balcony projection of up to 2m may be allowed projecting onto the open spaces for upper floors from 6m height onwards. Covered projection of 2.00 mts balcony in all High-rise buildings to the extent of 50% of balcony or to allow the cover portion of total balcony on surrender of 50% of Transferable Development Rights (TDR) of balcony area, from 6.00 m height onwards.”

(3) after sub-rule (8), the following sub-rule (9) shall be inserted, namely,-

“(9) Environmental Deck:

In the High Rise buildings having minimum of Ten floors (excluding parking floors) duly exempting the same from the calculation of height and parking requirement subject to occupation of minimum of 80% of the area for the activities such as i) Flower Gardens/ Butterfly Garden, ii) Walking Tracks / Jogging tracks iii) Breakout space, iv) Viewing Galleries etc., and the remaining area for indoor activities like

Gymnasium, Saloon, Spa etc., and ensuring sufficient safety provisions.”

XII. In Rule 70,-

(1) for Sub-rule(1) the following shall be substituted , namely,-

“(1)Podium Parking

- i. The maximum height of the Podium Floor shall be 15 mts.
- ii. The minimum site/plot area shall be 4000sq.m.
- iii. Tower height shall be as per the building rules and based on the approach road width.
- iv. The height of the podium shall be exempted from height of the building for calculation of height of the building and setbacks to the Tower Block.
- v. The all-round set-backs for Podium floors shall be:
 - a) 7 m upto a Tower height of 55 m
 - b) 9 m for above 55 m height
 - c) The Fire driveway between two Podium Blocks shall be 7 m and 9 m in alignment with points (a) & (b)
 - d) The turning radius is allowed in the 2 m peripheral green strip
- vi. Setbacks for Tower (above podium) shall be as per building rules and set-back provided to podium shall be treated as part of Tower set-back.
- vii. When podium floors are allowed there should be restriction on the number of basements (cellars) i.e., maximum 3 basements in case of commercial buildings and 2 basements in case of residential buildings.
- viii. Setbacks for basement floors shall be same as podium setbacks
- ix. Tot-lot is allowed on podium
- x. Podium floors shall be exclusively utilized for parking. However, transitional spaces like visitors' lobbies, waiting room for drivers and toilets etc. shall be provided as per occupancy loads, subject to a

maximum of 2% of floor area and for services 10% of floor area may be allowed.

- xi. There shall be no compound wall between Podium and Right of Way (Row) of road.
- xii. Projected Balconies are permitted (from above 6mts height) at tower level as per building rules.
- xiii. Setback relaxation in road widening cases can be (insitu) considered at tower level subject to maintaining setbacks at tower level duly obtaining Fire NOC."

XIII. In Rule 167,

(1) in sub-rule (2), for clause (i), the following shall be substituted, namely,-

"(i) Upon surrendering affected site area, the owner of the site would be entitled to TDR as given in Rule-168 of AP Building Rules, 2017.

(or)

The owner shall be permitted to construct additional built-up area equivalent to the TDR area allowed under Rule-168, provided the setbacks are maintained as specified in Rule-167(ii), without insisting Road Development Plan (RDP). After utilization of TDR area in-situ, if the applicant is still eligible for TDR for balance extent can be considered. However, for greenfield roads or areas where no road exists (e.g., barren lands under Master Plan roads), RDP shall be required."

(2) in sub rule (2), for clause (ii), the following shall be substituted, namely,-

(ii) The TDR as issued above is allowed to be utilized for construction of additional built up area as detailed below:

a. Non-High Rise Buildings (upto 18m Height from ground level including TDR Floors):

To construct up to two additional floors, or setback relaxations, or up to two additional floors with setback relaxations subject to maintaining minimum setback as given below

S.No.	Width of the road (in mts)	Minimum front setback (in mts)	Minimum setbacks on remaining sides (in mts)
1	30 and above	3	For site areas i. upto 300 sq.mt- 1.50 m ii. above 300 to 500 Sq.mts - 2.00m iii. above 500 Sq.mts - 2.50m
2	18 to below 30	3	
3	9 to below 18	2	

Note:

1. TDR floors are not allowed in case of existing road width is less than 9 m.
2. 20% (including visitors parking) of parking shall be provided for total Built up area including TDR floors for non-high rise residential buildings only.

b. High Rise Buildings:

To construct up to two additional floors, or setback relaxations, or up to two additional floors with setback relaxations subject to maintaining minimum setback as given below and also subject to satisfaction of the parking norms

S.no	Minimum abutting road Width (in mts)	Height of the building including TDR floor(in mts)	Minimum all round setback (in mts)
1.	12	Up to 30	7
2.	18	Above 30 and up to 36	8
3.	24	Above 36 and up to 51	9
4.	30	Above 51 and up to 70	12
5.	30	Above 70	16

(3) in sub rule (2), clause (iii), shall be omitted.

(4) in sub rule (3), the following shall be substituted, namely,-

“(3)In case of plots less than 500sq.m in addition to concessions in setbacks and height, the cellar floor for parking may be allowed keeping in view of its feasibility on ground.”

XIV. In Rule 169,-

(1) for sub-rule (3), the following shall be substituted, namely,-

“(3) (a) In case of ULBs, the Municipal Commissioner is competent to approve the Road Development Plan/Circulation Plan and to issue TDR as per Rules.

(b)In case of UDAs, the Metropolitan Commissioner, /Commissioner/Vice Chairperson is the competent to approve the Road Development Plan/Circulation Plan and issue TDR.

(c) The following committee shall scrutinize all aspects before issuance of TDR by meeting on a fortnightly basis the concern Town Planning Section Head shall notify the TDR proposal, before placing it in the committee, by way of paper notification to be given and within as stipulated period of 7 days, any claims and objections which may arise also to be placed before the committee.

1. The committee at ULB level will consist of the following officials:

- a) Municipal Commissioner concerned - Chairperson.
- b) RDDTP of concerned region.
- c) Additional Commissioner, Revenue In-Charge .
- d) ULB town planning head – Convenor

2. The Committee at UDA's / MRDA will consist of the following officials:

- a) Commissioner, CRDA / Metropolitan Commissioner, VMRDA / V.C. of the UDA - Chairperson.
- b) RDDTP of concerned region.
- c) Town planning head of the UDA concerned - convenor.

3. The above committees shall scrutinize all aspects before issuance of TDR. Before issuance of TDR the following aspects shall be mandatorily checked:

- Ownership of land.
- Extent of land affected.

- Whether it is required to issue TDR as per rules.
- Valuation of TDR.
- Any master plan issues
- Whether any other benefits were received earlier etc.
- After dealing with objections, if any received from the General Public only TDR's shall be issued duly verifying the draft gift deed."

The said committee will take decision collectively either by conducting a meeting or through circulation of the file in online portal. The SLA period will be fixed separately for each member. The deemed provision shall be enabled in the Online portal. In case of the deemed approval, if it is found at later date that, the TDR is issued erroneously, the concerned will be held responsible and liable for disciplinary action. Further, if any of the Committee member rejects the proposal without proper justification and recording the reasons shall not be considered. The detailed guidelines governing these rules will be issued separately.

(2) in sub-rule (5), after clause (e) the following clause (f) shall be added, namely,-

"(f) TDR application shall not be considered from the individual where there is no proposal for development of the building by the applicant:-

XV. In Rule 178, after sub rule (4), the following sub rule (5) shall be inserted, namely,-

"178(5) Shelter fee is applicable only for residential Group housing/ residential group development schemes and not applicable for Non-Residential buildings. In case of mixed use i.e. Residential and other than residential use, the shelter fee shall be applicable for the extent of residential use only."

XVI. In Rule 56(4), 56(5), 159(1), 160(2), wherever the word "NREDCAP" occurs the word "Andhra Pradesh State Energy Conservation Mission (APSECM) State Designated Agency (SDA) of Andhra Pradesh" shall be substituted.

XVII. In ANNEXURE – 1, point 3 shall be substituted, namely,-

"3) STRUCTURAL ENGINEER:

A degree in Civil Engineering or equivalent qualification.

(i) In addition to above qualification, the applicant should have at least five years experience in structural design work,

(Or)

(ii) A Master's degree in structural engineering from a recognized institute and at least two years experience in structural design work.

(Or)

(iii) A Doctor's degree in structural designs from a recognized institute and at least one year experience in structural design work.

Structural Engineers shall be competent to carry out work related to Building permission as given below shall be entitled to submit.

- a. Structural designs and calculations of all buildings.
- b. Issuing certificate of supervision and completion for all buildings.
- c. Preparation of all service plans and related information connected with development permit."

K.KANNA BABU
SECRETARY TO GOVERNMENT (FAC)